

IN THE UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF VERMONT

LINDSAY COBB,  
Plaintiff,

v.

UNIFUND CCR, LLC,  
BAUER, GRAVEL, FARNHAM,  
JOHN J. BALKUNAS JR., and  
ROBIN VESZPREMY

Defendants.

Docket No. 5:14-cv-00254

**DEFENDANTS' MEMORANDUM UPDATING COURT AS TO  
STATUS OF STATE ACTION**

Pursuant to the Court's directive in its June 2, 2015 Ruling on Motion to Stay Proceedings, Defendants Unifund CCR, LLC, Bauer Gravel Farnham, John J. Balkunas, Jr., and Robin Veszpremy ("Defendants") provide the following update to the Court on the status of the state action of Unifund CCR, LLC v. Lindsay Cobb, Docket No. 166-4-14 Wmcv:

Unifund CCR, LLC ("Unifund") filed the state action against Lindsay Cobb ("Mr. Cobb") to recover a credit card debt in the amount of \$9,777.18. Unifund sued Mr. Cobb for breach of contract and unjust enrichment. On April 11, 2017, the Windham Superior Court granted Mr. Cobb's motion for summary judgment on these claims, and denied Unifund's motion for summary judgment on those claims. Unifund timely filed a Notice of Appeal to the Vermont Supreme Court.

The parties are currently working together to schedule a mediation that could potentially resolve all claims in the state court matter and in this case. That mediation is tentatively scheduled for June 21, 2017. The parties in the state court action are also working toward an

agreed extension allowing Unifund until August 1, 2017 to file its opening brief in the state court appeal.

Respectfully submitted,

/s/ Elizabeth M. Shaffer, Esq.

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**Attorneys for Defendants**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 1st day of June, 2017, a true and correct copy of the foregoing was served via CM/ECF filing to the following:

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*Attorney for Plaintiff*

/s/ *Elizabeth M. Shaffer, Esq.*